

# REAL ESTATE APPRAISER BOARD

## MINUTES OF MEETING

August 29, 2006

The Real Estate Appraiser Board met at the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. The following Board members were present:

John C. Harry, III, Chairman  
Janet Fuller  
Sandra Johnson  
Douglas Mullins, Jr.  
Richard Pruitt  
Diane Quigley  
Pat Turner, Jr.

The following Board member was not present: Gina Burgin and Harry Lewis, Jr.

DPOR Staff present for all or part of the meeting included:

David Ashe, Chief Deputy Director  
Nick Christner, Deputy Director  
Karen W. O'Neal, Deputy Director  
Christine Martine, Executive Director  
Tammie Hall, Regulatory Board Administrator  
Earlyne Perkins, Legal Analyst  
Chris Olson, Administrative Assistant

Elizabeth Peay from the Attorney General's office was present.

Chairman Harry called the meeting to order at 10:07 AM.

### **Call to Order**

A motion was made by Mr. Mullins and seconded by Ms. Quigley to approve the agenda. The motion passed unanimously. Members voting "Yes" were Fuller, Johnson, Harry, Mullins, Pruitt, Quigley, and Turner.

### **Approval of Agenda**

A motion was made by Mr. Turner and seconded by Ms. Quigley to approve the following minutes: May 2, 2006 Board Meeting, June 12, 2006 Regulatory Review Committee Meeting, June 28, 2006 Informal Fact Finding Conferences, June 29, 2006, Informal Fact-Finding Conferences, July 18, 2006, Informal Fact-Finding Conferences, and August 17, 2006 Informal Fact-Finding Conferences. The motion

### **Approval of Minutes**

passed unanimously. Members voting "Yes" were Fuller, Johnson, Harry, Mullins, Pruitt, Quigley, and Turner.

In the matter of **File Number 2006-02544, Robert Cole**, the Board reviewed the record, which consisted of the Consent Order as seen and agreed to by Mr. Cole. A motion was made by Mr. Turner and seconded by Ms. Quigley to reject the proposed Consent Order and re-offer the Consent Order wherein Mr. Cole admits to a violation of 18 VAC 130-20-180.D, to wit USPAP Standards Rule 1-1 (a) and (b) (Count 1), 18 VAC 130-20-180.E, to-wit USPAP Standards Rule 2-1 (a) and (b) (Count 2), and 18 VAC 130-20-60.4.a (Count 3) of the Board's 2003 Regulations and agrees to revocation of his license for the violations. If Mr. Cole does not accept the Consent Order within 14 days, an Informal Fact-Finding Conference will be scheduled. The motion passed unanimously. Members voting "Yes" were Fuller, Johnson, Harry, Mullins, Quigley, and Turner.

**File Number 2006-02544,**  
**Robert Cole**

As the Board member who reviewed this file, Mr. Pruitt was not present during the discussion or vote.

In the matter of **File Number 2006-03232 Douglas W. Scott**, the Board reviewed the record, which consisted of the Consent Order as seen and agreed to by Mr. Scott. Mr. Scott was present and addressed the Board. A motion was made by Mr. Pruitt to reject the Consent Order and instead close the case with a finding of no violation. The motion failed due to a lack of a second.

**File Number 2006-03232**  
**Douglas W. Scott**

A motion was made by Ms. Quigley and seconded by Mr. Mullins to accept the Consent Order wherein Mr. Scott admits to a violation of 18 VAC 130-20-180.D (Count 1), 18 VAC 130-20-180.C.2.a, b, and c (Count 2), 18 VAC 130-20-180.B.1.a (Count 3), and 18 VAC 130-20-180.E (Count 4) of the Board's 2003 regulations and Mr. Scott agrees to a monetary penalty of \$800.00 and to pay Board costs in the amount of \$150.00 for a total of \$950.00. In addition, Mr. Scott agrees to complete a fifteen (15) hour USPAP course and provide proof of attendance and successful completion, within three (3) months of the effective date of this order. Completion of the above referenced USPAP course will not count towards any continuing education requirements for renewal of license. The motion passed by majority vote. Members voting "Yes" were Fuller, Harry, Mullins, and Quigley. Members voting "No" were Johnson and Pruitt.

As the Board member who reviewed this file, Mr. Turner was not present during the discussion or vote.

In the matter of **File Number 2006-04989, Gregory Lindsey**, the Board reviewed the record, which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Lindsey was present and addressed the Board. A motion was made by Ms. Quigley and seconded by Mr. Mullins to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Lindsey's application for a Real Estate Appraiser Trainee license. The motion passed unanimously. Members voting "Yes" were Fuller, Johnson, Harry, Mullins, Pruitt, Quigley, and Turner.

**File Number 2006-04989,**  
**Gregory Lindsey**

In the matter of **File Number 2006-04428 John Dever**, the Board reviewed the record, which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Mr. Pruitt and seconded by Ms. Fuller to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Dever's application for a Real Estate Appraiser Trainee license. The motion passed unanimously. Members voting "Yes" were Fuller, Johnson, Harry, Mullins, Pruitt, Quigley, and Turner.

**File Number 2006-04428**  
**John Dever**

In the matter of **File Number 2006-05329 Dana Ragland**, the Board reviewed the record, which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Quigley and seconded by Ms. Fuller to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Ms. Ragland's application for a Real Estate Appraiser Trainee license. The motion passed unanimously. Members voting "Yes" were Fuller, Johnson, Harry, Mullins, Pruitt, Quigley, and Turner.

**File Number 2006-05329**  
**Dana Ragland**

Tammie Hall updated the Board on the status of the Regulatory Review. No action was taken by the Board.

**Regulatory Review**  
**Update**

Ms. Martine stated that the Notice of Intended Regulatory Action was filed and that the public comment period will run from September 18, 2006 to October 19, 2006. No action was taken by the Board.

Mac Strickland addressed the Board on actively enforcing USPAP Standards. No action was taken by the Board.

**Public Comment**

Alex Juminski addressed the Board on the quality of Appraisal Management Companies. No action was taken by the Board.

A motion was made by Mr. Turner and seconded by Ms. Quigley to have staff look into the possibility of creating a semi-annual newsletter subject to the availability of funds. The newsletter would include disciplinary actions taken by the Board. The motion passed unanimously. Members voting “Yes” were Fuller, Johnson, Harry, Mullins, Pruitt, Quigley, and Turner.

**Other Business**

There being no further business, the meeting adjourned at 11:10 AM.

**Adjourn**

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John C. Harry, III, Chairman

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Jay W. DeBoer, Secretary